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 Attorneys for Defendants
 K-M Industries Holding Co. Inc.;
 K-M Industries Holding Co. Inc. ESOP Plan Committee;
 and CIG ESOP Plan Committee

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

THOMAS FERNANDEZ and LORA SMITH,)
 individually and on behalf of a class of all other)
 persons similar situated,)

Plaintiffs,

vs.

K-M INDUSTRIES HOLDING CO., INC.; K-)
 M INDUSTRIES HOLDING CO., INC. ESOP)
 PLAN COMMITTEE; WILLIAM E. AND)
 DESIREE B. MOORE REVOCABLE TRUST;)
 TRUSTEES OF THE WILLIAM E. AND)
 DESIREE B. MOORE REVOCABLE TRUST;)
 ADMINISTRATOR OF THE ESTATE OF)
 WILLIAM E. MOORE, DECEASED; CIG)
 ESOP PLAN COMMITTEE; and NORTH)
 STAR TRUST COMPANY,)

Defendants.)

Case No. C 06-07339 MJJ

JOINT STIPULATION AND [PROPOSED]
 ORDER EXTENDING DEADLINE FOR
 SERVICE OF DEFENDANTS' WRITTEN
 RESPONSES TO DISCOVERY
 PROPOUNDED BY PLAINTIFFS

1 WHEREAS, Plaintiff served requests for production of documents, requests for admissions
2 and interrogatories on all Defendants on April 2, 2007;

3 WHEREAS, under the Federal Rules of Civil Procedure, Defendants' responses to Plaintiffs'
4 first set of requests for production of documents, requests for admissions, and interrogatories are due
5 on May 7, 2007;

6 WHEREAS, due to the scope of the requested discovery and the circumstances of the case,
7 including the availability of witnesses and pertinent information, Defendants require a brief
8 extension of time to respond to the written discovery propounded by Plaintiffs;

9 WHEREAS, Plaintiffs and Defendants have agreed to a brief stipulated extension of time for
10 all Defendants to respond to the first set of requests for admission and interrogatories propounded by
11 Plaintiffs;

12 WHEREAS, Plaintiffs and Defendants K-M Industries Holding Co., Inc., K-M Industries
13 Holding Co., Inc. ESOP Plan Committee and CIG ESOP Plan Committee (collectively, "Corporate
14 Defendants") have agreed to a brief stipulated extension of time for the Corporate Defendants to
15 respond to Plaintiffs' requests for production;

16 WHEREAS, the agreed-upon extensions of time will not affect the trial date or any of the
17 deadlines established by the Court;

18 WHEREAS, the Corporate Defendants have agreed to make all reasonable efforts to provide
19 witnesses for Rule 30(b)(6) depositions during the last two weeks of May;

20 Accordingly, IT IS HEREBY AGREED AND STIPULATED by the parties through their
21 counsel of record, that the deadline for Defendants' responses to the discovery propounded by
22 Plaintiffs on April 2, 2007 shall be extended as follows:

23 a. All Defendants shall serve written responses to Plaintiffs' first set of requests for
24 admission and first set of interrogatories no later than May 11, 2007;

25 b. The Corporate Defendants shall serve written responses to Plaintiffs' first set of
26 requests for production of documents no later than May 11, 2007.

27 c. The deadline for Defendant William E. And Desiree B. Moore Revocable Trust and

1 Defendant North Star Trust Company to respond to Plaintiffs' requests for production shall remain
2 unchanged by this Stipulation.

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4
5 DATED: April 26, 2007

LOVITT & HANNAN, INC.

6
7 By: _____ /S/
8 Henry I. Bornstein
9 Attorneys for Defendants K-M Industries Holding
10 Co., Inc.; K-M Industries Holding Co., Inc. ESOP
11 Plan Committee; and CIG ESOP Plan Committee

12 DATED: April 26, 2007

HENNIGAN, BENNETT & DORMAN LLP

13
14
15 By: _____ /S/
16 Robert L. Palmer
17 Attorneys for Defendant William E. And Desiree B.
18 Moore Revocable Trust

19 DATED: April 30, 2007

MORGAN LEWIS & BOCKIUS LLP

20
21 By: _____ /S/
22 Lisa Serebin
23 Attorneys for Defendant North Star Trust Company
24
25
26
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1
2 DATED: April 27, 2007

LEWIS, FEINBERG, LEE, RENAKER &
JACKSON, P.C.

3
4
5 By: _____/S/
6 Todd Jackson
7 Attorneys for Plaintiffs Thomas Fernandez and Lora
8 Smith
9
10

11 **ORDER**

12 **IT IS SO ORDERED.**

13
14
15 DATED: _____

The Honorable Martin J. Jenkins
United States District Judge